DEMAND No. 45—CAPITAL OUTLAY ON IRRIGATION.

99. Captial Outlay on Irrigation, Navigation, Embankment and Drainage Works (Commercial)

"That a sum not exceeding Rs. 8,47,97,000 be granted to the Government to defray the charges which will come in course of payment during the financial year for the period ending 31st day of March 1963, in respest of 'Capital Outlay on Irrigation, Navigation, Embankment and Drainage Works—Commercial'."

DEMAND No. 46—CAPITAL OUTLAY ON IRRIGATION (NON-COMMERCIAL).

100. Capital Outlay on I. N. E. and Drainage Works (Non-Commercial).

"That a sum not exceeding Rs. 1,16,75,000 be granted to the Government to defray the charges which will come in course of payment during the financial year for the period ending 31st day of march 1963, in respect of 'Capitial outlay on I. N. E. and D. Works 'non-Commercial'."

DEMAND No. 43-CAPITAL OUTLAY ON IMPROVEMENT OF PUBLIC HEALTH.

94. Capital Outlay on Improvement of Public Health.

"That a sum not exceeding Rs. 71,50,000 be granted to the Government to defray the charges which will come in course of payment during the financial year for the period ending 31st day of March 1963, in respect of 'Capital Outlay on Improvement of Public Health'."

DEMAND No. 47— CAPITAL ACCOUNT OF ELECTRICITY SCHEMES OUTSIDE THE REVENUE ACCOUNT.

101. Capital Outlay on Electricity Schemes.

"That a sum not exceeding Rs. 32,47,47,100 be granted to the Government to defray the charges which will come in course of payment during the financial year for the period ending 31st day of march 1963, in respect of Capital Outlay on Electricity Schemes."

DEMAND No. 52—PORTS AND PILOTAGE.

53. Ports and Pilotage.

"That a sum not exceeding Rs. 4,55,000 be granted to the Government to defray the charges which will come in course of payment during the financial year for the period ending 31st day of March 1963, in respect of 'Ports and Pilotage'."

DEMAND No. 50—DEVELOPMENT OF MINOR PORTS.

110. Capital Outlay on Ports.

"That a sum not exceeding Rs. 49,00,000 be granted to the Government to defray the charges which will come in course of payment during the financial year for the period ending 31st day of March 1963, in respect of Capital Outlay on Ports."

Ruling of the Speaker:

On the Point of order whether it is in order for the Minister moving one Damand and the Speaker announcing that the other damands on order paper are before the house.

MR. SPEAKER.—Another Hon'ble Member was pleased to remind me of my duties lest I should remis. I promised a ruling and I am giving that ruling now.

The other day I stated that I would give a considered ruling about the Procedure followed in respect of voting of demands for grants. Hon'ble Members would remember that this question arose out of a point made by Hon'ble Member of this House that while only one demand is moved three or four or even more demands are treated as moved and taken up for debate. Though this practice has been in vogue in the Mysore Legislative Assembly ever since 1955, I felt that in this New Assembly which consists of some Hon'ble Members who have been elected for the first time and may not be familiar with the existing procedure, it is desirable that I set

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out the practice and the reasons for the same in some detail.

I would first like to invite the attention of the Hon'ble Members to the provisions in the Constitution of India on this matter. Articles 202, 203, 204, 205, and 206 relate to procedure in financial matters in States. Under article 202, the Governor should cause to be laid before the House or Houses of the Legislature of a state, a statement of estimated Receipts and Expenditure for every financial year. The estimates have to separately embody the sums required to meet the expenditure charged upon the consolidated fund and the sums required to meet other expenditure to be met out of the consolidated fund. It has also to distinguish the expenditure on Revenue Account from other expenditure. Under article 203, so much of the estimates as relate to expenditure charged upon the consolidated Fund of a State should not be submitted to the vote of the Assembly but estimates which would relate to other expenditure have to be submitted to the Assembly in the form of Demands for Grants. Under Article 204, after the grants have been made by the Assembly, the Appropriation Bill has to be introduced providing for appropriation out of the consolidated fund of all moneys to meet the grants so made as well as expenditure charged on the consolidated fund. Articles 205 and 206 relate to supplementary, additional or excess grants and votes on account, votes of credit and exceptional grants. Since the procedure to be followed by the Assembly, in voting upon any demand for grant is a matter to be decided by the Rules of Procedure, the Constitution does not make any specific provision in this behalf.

If we turn to the Rules of Procedure and Conduct of Business of the Mysore Legislative Assembly, we find that chapter XIX provides for such procedure. Rule 161 states that a separate demand shall ordinarily be made in respect of a grant proposed for each Department with a proviso to the effect that Government may in its discretion include in any one demand, grants proposed for two or more Departments or make a demand in respect of expenditure which cannot readily be classified under particular Departments. After dealing with the procedure to be adopted for general discussion on the Budget, we go to rule 164 which provides for voting of demands for grants. This rule is to the effect that the Speaker shall, in consultation with the Leader of the House, allot so many days, not being less than 10 days, as may be compatible with the public interest for the discussion and voting of demands for grants. The rule further proceeds to state that on the last of the allotted days at 5 O' Clock or at the hour fixed for the termination of the day's meetings, the Speaker should apply the guillotine. The subsequent rules relate to cut motions and the other kinds of vote about which reference has been made in articles 205 and 206. Hon'ble Members will at once see that the actual and detailed procedure in regard to voting of demands for grants, is left to be worked out by practice and convention.

In order that Hon'ble Member may have an idea of the background in which the present practice in the Mysore Assembly has developed, I, would like to refer to the practice prevailing in the House of Commons in the United Kingdom as well as in the Lok Sabha. Since the actual procedure rests on practice and convention, there is bound to be considerable variation from Legislature to Legislature. However, certain broad principles emerge and it is in respect of these that I would like to dwell at some length.

Taking the procedure in the House of C mmons on which, in this respect, our Constitution is largely modelled, I may, at the outset state that the voting of demands for grants takes place not in the House but in a Committee of the whole House. The motions for demands are not moved by any Minister, but are moved by the Chairman of the Committee. Secondly, by a long historical process, the

consideration of votes in Committee of Supplies has lost its literal and acquired a symbolic meaning. It has in other words ceased to be a consideration of the financial reasons for the Crown's demands and becomes an occasion for criticising administrative policy. In the result, for the entire financial procedure, 26 days have been alloted, 20 days of which have been allotted to the main annual estimates with a comprehensive closure on the last two days. During these 'supply' days, the opposition have been given the right to choose for discussion any one or more of about 200 votes covering all branches of Administrative expenditure. It has been conceded that the most important factor in the financial process is that Government responsibility for the Estimates has long been taken to cover every detail of every vote so that the reduction by any small amount of an estimate would be regarded as a major defeat. Since the House as a whole cannot collaborate in fixing the sums contained in the estimates, it has long ceased to consider their financial aspect and concentrates upon the policy and activities of the Ministers and officials whose salaries are provided in them. In the final analysis, the result is that the Government are indifferent to the vote to be discussed on any allotted day as they are certain of securing the passage of all votes with or without discussion at the end of the 20 allotted days. In return for this certainty, the Opposition have been given the right to select the votes to be put down for discussion on each allotted day and even the right to select particular subjects coming within a particular demand. Speaking generally of the House of Commons procedure, therefore, we may say that in modern times the practice has been to select a vote or group of votes relating to a particular service or Department, treat them as if they were all before the House and permit the Opposition an opportunity to discuss the policies of Government relating to that particular Department to which all those demands relate. This is because the actual demands have lost their original significance and the occasions when the the demands come up before the House are considered merely as good opportunities available to the Opposition to raise matters of policy relating to those Departments or votes.

Coming next to the Central Legislature, I think the earliest we should safely would go to be 1947 when it functioned as the Central Assembly. On the 10th of March 1947, when the demands for grants were first taken up the President, as he was then called, suggested a change of procedure in respect of moving of demands. This is what Mr. President stated on that occasion:

"Mr. PRESIDENT.—Now as regards the moving of the Demands, if the Hon'ble Members are agreeable I suggest a slight change in the procedure. The Demands will be moved one after the other and then, of course, cut motions will be taken up. That will prevent any confusion in the minds of Hon'ble Members as to which particular Demand is moved or not moved.

Mr. C. P. LAWSON (Bengal: European).—If all the Demands are moved at this stage, there will be a very serious loss of time.

Mr. PRESIDENT.—I do not mean all the 91 Demands: I mean all those Demands—17 in all—in respect of which cut motions are to be moved.

Mr. C. P. LAWSON.—I have no objection.

THE HONOURABLE Mr. LIAQUAT-ALI KHAN (Finance Member).—I will be very quick in moving them.

Mr. PRESIDENT.—I do not know if the Hon'ble Member would agree to yet another change in the procedure, which I would like to propose. Instead of the Hon'ble the Finance Member formally moving each Demand and then the President reading out the same to the House, we may adopt the House of Commons practice where the Chairman of Ways and Means reads out these motions and so long as the consent of the Crown is signified, nobody moves them formally.

THE HON'BLE Mr. LIAQUAT ALI KHAN.—Yes, I think this would be better.

Mr. PRESIDENT.—Then I will read out these Demands. The Demands that I will read out to the House will be Nos. 9, 11, 15, 16, 21, 22, 23, 24, 25, 26, 28, 48, 54, 55, 57, 70 and 88. I will read out the first Demand in its usual form, and after that, I will only read the number of Demand and the amount.

Sri M. ANANTHASAYANAM IYYANGAR (Madras Ceded Districts and Chittor.—Non-Muhammadan Rural):—Many of these cut motions may not be reached at all. The Chair might save its own time and the trouble of reading out all these Demands in advance.

Mr. PRESIDENT.—I said I shall read out only the first Demand in the usual form and then I shall merely say Demand No. so and so, with so much amount.

(The Honourable the President then read out the following Demands.)''

Honourable Members will notice that what Mr. President did on that occasion was that he read out the first demand in its usual form and after that he only read out the numbers of the other Demands and the amounts. No doubt, the proceedings as printed will contain all the Demands in their usual form. On that occasion the number of Demands that were clubbed together and put from the Chair not in the usual form but by merely reading out their Numbers amounted to as many as 17. This procedure has been uniformly followed since then in the Lok Sabha. On no occasion has a Demand been moved by a Minister and thereafter put to the House by the Presiding Officer. I would refer, in this connection, to the proceedings of the House of the People of the 30th March 1953. On that occasion the Deputy Speaker who was in the Chair merely stated "Now I shall place the Demands of both the Home and State Ministries together. The Demands under the Home Ministry are Nos, 52, 53, 54, 55, 56, 57, 58 and 127. Those relating to the State Ministry are Nos. 88, 89, 90, 91, 92, 93, 94, 95 and 135. I shall now place the Demands before the House." Thereafter, in the printed proceedings, all the Demands appear one below the other. There is no need to refer to the subsequent proceedings because the procedure adopted since then is uniform.

Coming to Mysore, the first occasion when this matter was considered in detail was in 1950 when the Assembly was set up for the first time under the Constitution. On that occasion, the procedure adopted was the routine procedure of the Minister moving a Demand, the Speaker putting it to the House and movers of cut motions moving them one after the other, getting the individual cut motion voted or allowed to be withdrawn and then proceeding to the next cut motion. The House, however came to an understanding that specified time should be allotted to particular Demands and secondly that only selected cut motions should be permitted to be moved. One obvious disadvantage in this procedure would be that cut motions have to be moved in the order in which they are printed in the order paper which in turn would be the order in which they are received in the office. This resulted in most of the time allotted to a Demand being taken up by discussions of cut motions which were some times of very limited usefullness and very little time or no time was available for discussing policies underlying the Demand. In 1951, also the same procedure was followed. The selection of cut motions was a matter of agreement among the Members. In 1952, a further innovation was introduced by which following the practice of the House of Commons and the Lok Sabha, motions for Demands were not moved by any Honourable Minister, but were read out from the Chair. This procedure was first followed in the case of Demands for vote on account. Another innovation introduced for vote on account was for the Presiding Officer to put all the Demands collectively to the House. He did not read all the Demands but merely stated that all the Demands included in the motions circulated to the Members were before the House. The same year, in July, this procedure of a Demand being moved from the Chair was followed in

regard to Demands for Grants also. The practice of taking up only selected cut motions continued till 1955, that is, up to the 16th of March 1955. Demands were put from the Chair and only selected cut motions were moved. But, on the 17th of March 1955, an agreement was reached between the several parties and Members of the House to the effect that no one should move cut motions and that there should be a general discussion on the Demand itself. The Leader of the Opposition on that occasion stated as follows.—

"But to-day, Sir, the members of my party with the consent of the Treasury Bench, have come to an understanding, subject to the ratification by the Whip, that we need not move any cut motions at all and we will speak on the demand. Because, we have to deal with a very important subject, *viz.*, Education; we have also divided the subjects on which we have to speak. I will be speaking on the financial aspect; Sri Mulka Govinda Reddy will be speaking on the University Education; Sri Madappa on Primary Education, Sri B. P. Nagaraja Murthy on Samskriti Prachara and adult literacy and Sri Chikkalingiah on Depressed Classes Education, and Sri Gopala Gowda will speak on the Secondary Education and general review. We want to establish a precedent, because we know that during the Budget discussion we made a general review.

Time will be regulated by the Speaker. Similarly they may also speak instead of covering the entire ground. Because the Demands are very important and on each Demand we have to know the policy of the Government. So, if all the members agree, not only to-day but also tomorrow in fact there are 5 or 6 important Demands, *viz.*, Education, Irrigation, Civil Works, Electricity, and so on hon these Demands we will concentrate.

I have another submission to make. In the case of these cut motions, though they are not moved, it may be taken that these are referred to the Government. Government in their discretion may refer them to the Heads of Departments and others to take such action as they deem fit and also consider favourably wherever it is possible. So the cut motions will not go to waste and the local representations we have made and the local needs will also be considered by the Government and Departments."

The subsequent proceedings were as follows:

"Mr. SPEAKER.—I want to know the opinion of the Treasury Bench and also the members of the House.

Sri A. G. RAMACHANDRA RAO (Minister for Law and Education).—On behelf of the Government, I welcome the statement made by the Leader of the Opposition. It is to the advantage of both the Government and the Public that the main points for which they want an elucidation or a clarification should be forthcoming in this House. I welcome that.

Regarding the cut motions, we deal with them, although they may not be specifically discussed here. But many cut motions are vague or not understandable on the face of it. So, wherever it is possible, we will certainly consider the points raised in them."

This procedure has been in vogue since then. On the 16th of July 1957, the Speaker has again referred to this matter of cut motions and gave a considered statement to the House which was accepted by the House. In effect, it amounted to an agreement by all Sections of the House that cut motions should not be moved, and that groups of Demands relating to common or allied subjects would be put before the House together and the debate would go on on all the Demands. This procedure has been followed consistently since then except for a minor modification which crept into the procedure in 1959. This change was that once again a Demand was moved by a Minister and thereafter put from the chair. In this connection, I would refer to the Proceedings of the 10th of March 1960, on which occassion Demand No.14 was moved by the Chief Minister, the motion proposed to the House by the speaker, who also informed the House that in addition to Demand No.14 four other Demands were before the House. These Demands were not separately

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moved, but treated as before the House for the purpose of discussion. It will be thus seen that the procedure now in vogue in this Assembly has been a matter of gradual evolution, and in existence for 7 years. The difficulties envisaged by a procedure followed earlier has resulted in the emergence of the existing procedure.

As I indicated earlier, there is nothing in the Constitution or in our Rules of Procedure prohibiting the existing practice. This practice is the result of a process of trial and error and has worked quite satisfactorily. I am sure, Honourable Members will agree that instead of putting to the guillotine almost all Demands at the end of the allotted time and taking up for debate only a few selected Demands, it is always better that groups of Demands relating to the same Department or allied subjects are put before the House in a batch so that the Members would be free to discuss any subject which falls within any one of those Demands.

I have examined the practice prevailing in other State Legislatures. I find there is considerable variation. In West Bengal, the Honourable Minister not only makes a motion, but makes a speech indicating the reason for the Demand. In other words, he makes a speech justifying the Demand and setting out in detail the activities of his Department. Thereafter all the cut motions are taken as moved. A general debate ensues, the cut motions are put to vote and the demand is then voted upon.

In Kerala, under their Rules of Procedure, a motion for Demand not only requires to be moved but has also to be seconded. In Madras and Andhra Assemblies, motions are moved by the Minister concerned. In some cases, but motions are taken up individually and discussed and disposed of before the next one is taken up.

There is, thus, no uniform procedure followed. I think that each Legislature has to develop its practice according to its own needs and circumstances. I feel that the procedure that has been evolved in Mysore is most conducive to maximised utility of time for all concerned and is by far the best and most satisfactory, from the point of view of giving members an opportunity for a full and detailed debate on the policies underlying a particular Demand instead of spending the time of the House in discussing cut motions which are after all of limited interest.

PAPER LAID ON THE TABLE.

2-30 P.M.

Sri M. V. RAMA RAO (Minister for Law).—Sir, I beg to lay on the table of the House Notification No. HD 20 CCF 61, dated 29th June 1962 (Passport applications for Kolar District—Affixing of Court Fee Stamps) as required under sub-section (2) of Section 70 of the Mysore Court Fees and Suits Valuation Act (Mysore Act 16 of 1958).

Members' Representation.

†ಶ್ರೀ ಎಸ್. ಶಿವಪ್ಪ (ಶ್ರವಣಬೆಳಗೊಳ).—ಮಾನ್ಯ ಸಭಾಪತಿಗಳೇ, ಇಲ್ಲಿ ಶಾಸನ ಸಭೆ ನಡೆಯುತ್ತಿರುವ ಕಾಲದಲ್ಲಿ ಸರ್ಕಾರದ ಪಾಲಸಿ—ನೀತಿ ವಿಚಾರಗಳ ಬಗ್ಗೆ ಮೈನೂರು ದೇಶದ ಮುಖ್ಯಮಂತ್ರಿಗಳು ಈ ಸರ್ಕಾರದ ಧೋರಣೆಗಳೇನಿವೆ ಎಂಬುದನ್ನು ಈ ಶಾಸನ ಸಭೆಯಲ್ಲಿ ತಿಳಿಸದೆ ಅದನ್ನು ಸಭೆಯ ಹೊರಗಡೆಯಲ್ಲಿ ತಿಳಿಸಿದ್ದಾರೆ. ಈ ಬಗ್ಗೆ ಅವರು ಒಂದು ಹೇಳಿಕೆಯನ್ನೇ ಕೊಟ್ಟಿದ್ದಾರೆ. ಆದರೆ ದೇಶದ ಒಂದು ನೀತಿಗೆ ಒಂದು ಪಾಲಸಿಗೆ ಸಂಬಂಧಪಟ್ಟಂಥ ವಿಚಾರಗಳ ಬಗ್ಗೆ ಸರ್ಕಾರದವರ ನಿಲುವು ಏನಿದೆ ಎಂಬುದನ್ನು ಮೊದಲು ಇಂಥ ಶಾಸನ ಸಭೆಗಳು ನಡೆಯುತ್ತಿದ್ದರೆ ಅಲ್ಲಿ ಹೊರಗೆಡಹುವುದು ಮೊದಲಿನಿಂದಲೂ ನಡೆದು ಬಂದಿರತಕ್ಕಂಥ ಒಂದು ಸಂಪ್ರದಾಯವಾಗಿದೆ. ಇಂಥ ಒಂದು ಸತ್ಸಂಪ್ರದಾಯಕ್ಕೆ ವಿರುದ್ಧವಾಗಿ ಮೊನ್ನೆ ತಾನೇ ಈ ದೇಶದ ಮುಖ್ಯಮಂತ್ರಿಗಳು ಕನ್ನಡವನ್ನು ದೇಶದ ಅಡಳಿತ ಭಾಷೆಯನ್ನಾಗಿ ಮಾಡತಕ್ಕ ವಿಚಾರದಲ್ಲಿ ಒಂದು ಹೇಳಿಕೆಯನ್ನು ಶಾಸನ ಸಭೆಯ ಹೊರಗಡೆ ಕೊಟ್ಟಿದ್ದಾರೆ. ಹಾಗೆ ಅವರು ಮಾಡಿರತಕ್ಕದ್ದು ಸತ್ಸಂಪ್ರದಾಯಕ್ಕೆ ವಿರುದ್ಧವಾದದ್ದು ಮತ್ತು ಪಾರ್ಲಮೆಂಟರಿ ಪ್ರಾಕ್ಟಿಸಿಗೂ ವಿರುದ್ಧವಾದುದಾಗಿದೆ. ಅವರು ಕೊಟ್ಟಿರತಕ್ಕಂಥ ಪಾಲಿಸಿಗೆ ಸಂಬಂಧಪಟ್ಟ ಹೇಳಿಕೆಯೇನಿದೆ ಅದನ್ನು ಮೊದಲು ಇಂಥ ಶಾಸನ ಸಭೆಗಳಲ್ಲಿ ಮಾಡಬೇಕಾಗಿತ್ತು. ಆ ರೀತಿ ಮಾಡಬೇಕಾಗಿತ್ತೆಂದು ಕೇಳುವ ಹಕ್ಕು ಈ ಶಾಸನ ಸಭೆಗಿದೆ. ಆದರೆ ಈ ವಿಷಯ ಅವರು ಹೊರಗಡೆ—ಶಾಸನ ಸಭೆಯನ್ನು ಬಿಟ್ಟು ಆ ಒಂದು ಹೇಳಿಕೆ